

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

Applicants:	Bishop, et al.	Docket No.:	54022.1417
Serial No.:	10/711,965	Filing Date:	October 15, 2004
Group Art Unit:	3621	Confirmation No.:	5964
TITLE:	RF PAYMENT VIA A MOBILE DEVICE	Examiner:	Pierre E. Elisca

INTERVIEW AGENDA

Thank you for agreeing to an Interview to discuss the above-referenced application on April 29, 2008 at 1pm EDT. We are providing this agenda to summarize the points we would like to discuss during the Interview.

1. As discussed previously with the Examiner, Wankmueller does not qualify as prior art with respect to the present application.

2. Certain elements of the claims were not addressed in the Final Office Action.

We feel the Examiner did not address at least the following elements of the independent claims submitted in Applicants' Reply to the Office Action mailed October 16, 2007:

- "verifying the authentication transmission" (claim 1)
- "a transaction application located in an RF module" (claim 12)
- "wherein the transaction application comprises a first mobile device authentication routine, a second mobile device authentication routine, and an account data transmission routine configured to be responsive to the second mobile device authentication routine" (claim 12)
- "an RF transponder configured to transmit the secondary identification code" (claim 12)
- "transmitting the secondary end-user authentication identification via an RF transponder" (claim 17)

Additionally, we feel the Examiner did not address at least the following elements of the dependent claims submitted in Applicants' Reply to the Office Action mailed October 16, 2007:

- “receiving the mobile device account data via a mobile device universal serial bus” (claim 3)
- “receiving the user account data after the authenticating of the secondary end-user authentication identification” (claim 18)
- “wherein the secondary authentication user interface comprises a biometric authentication user interface” (claim 24)
- “at a radio frequency (RF) reader” (claim 1), “wherein the using of the decryption key to decrypt the encrypted authentication code comprises using the unique decryption key to decrypt the encrypted authentication code” (claim 29).

3. The following amended independent claim is allowable over the references cited by the Examiner.

1. (Currently Amended) A method for facilitating a mobile device payment transaction at a Radio Frequency (RF) reader, comprising:

receiving an authentication transmission comprising an encrypted authentication code and a RF identification (ID) code;

~~reading a decryption key associated with the RF ID code;~~

~~using the decryption key to decrypt~~ decrypting the encrypted authentication code using a decryption key associated with the RF ID code;

verifying the authentication transmission;

receiving mobile device account data;

receiving a mobile device secondary identification ~~as at least one of voice recognition data, biometric recognition data and alphanumeric data;~~ and

processing the mobile device account data to complete the mobile device payment transaction.

4. Neither Zalewski nor Pond, alone or in combination, disclose “A method for facilitating a mobile device payment transaction at a Radio Frequency (RF) reader, comprising ... receiving a mobile device secondary identification” as recited in the amended claim 1 shown above (emphasis added).


Applicants made this argument in the previous Reply, but the Examiner did not address it. Pond, for example, requires, “[o]nce the payment server 1407 authenticates that the customer has a valid, active account, it then needs to authenticate the customer’s action. This can be done *one of two ways*—through a voice call utilizing an Integrated Voice Response (IVR) system *or* through mobile messaging” (¶ [0147]; emphasis added). Pond distinguishes structure used for initial customer identification via “proximity reader 1403” from the structure used for this secondary authentication “through a voice call utilizing an [IVR] system or through mobile messaging” (see ¶¶ [0144], [0147]). Additionally, both Zalewski and Pond disclose that, after initial authentication, “[c]over 100 then responds to provide reader/interrogator with information such as electronic identification mobile station phone number and the like. The reader/interrogator may also send a code to a register of MCU instructing phone to go to *passive mode*. Since information regarding [the] user’s mobile station phone number may be provided to the reader/interrogator, [the] user’s mobile station may receive a Short Message Service (SMS) message at some point after RFID validation *when customer is safely away from the fueling area*” (Zalewski, Col. 11, Lines 49-58; Pond ¶ [0083]; emphasis added).

5. Because of the above points, any subsequent action should not be a Final Office Action.

We appreciate your time and look forward to expediting the prosecution of this application. Please contact us at the number below if you have any questions concerning the scheduling of the interview.

Respectfully submitted,

Dated: May 28, 2008



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